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BANGALORE, TUESDAY, JULY 15, 1952

PART IV.

Section 2-A

MYSORE BILLS AND REPORTS OF SELECT COMMITTEES THEREON.

NOTIFICATION.

No. 4703—L.A., dated Bangalore, the 15th July 1952.

As required by Rule 69 of the Rules of Procedure and Conduct of Business in the Mysore Legislative Assembly, the following report of the Select Committee on the Mysore Legislature Salaries Bill, 1952, with the Bill, is hereby published.

G. S. VENKATARAMANA IYER,

*Secretary,
Mysore Legislature.*

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**REPORT OF THE SELECT COMMITTEE ON THE
MYSORE LEGISLATURE SALARIES BILL, 1952.**

(Presented on 14th July 1952.)

We, the members of the Select Committee to which the Mysore Legislature Salaries Bill, 1952, was referred, have considered the several clauses of the Bill and have the honour to submit the following report:—

We are of the opinion that the salaries and allowances payable to and other amenities to be provided for to the Speaker of the Legislative Assembly and the Chairman of the Legislative Council should be the same as are payable to or provided for Ministers under the Mysore Ministers Salaries and Allowances Bill, 1952. We are also of the view that the Deputy Speaker and the Deputy Chairman should be paid a salary of three hundred and fifty rupees per mensem.

In regard to salaries to members, we consider that the extended duration of sessions requires a higher compensatory allowance than is provided for in the Bill and that they should be paid a salary of one hundred and fifty rupees per mensem and that it should be made payable, not from the date of taking the oath, but from the date of declaration of the result of election. The Bill should also provide for payment of daily allowance to mofussil members for a day before and a day after meetings as at present.

As we are informed that the Select Committee is not competent to effect these changes and that such amendments require the recommendation of the Rajpramukh, we have not effected the changes in the Bill but request the Government to move suitable amendments in the Assembly after obtaining the necessary recommendation.

The Bill was published in the *Mysore Gazette* Extraordinary dated the 19th June 1952. In our opinion the Bill has not been so altered as to require circulation.

A. G. RAMACHANDRA RAO
(Chairman)

J. MOHAMED IMAM *

H. S. RUDRAPPA

H. K. VEERANNA GOWDA

H. C. LINGA REDDY

M. LINGANNA

D. DEVARAJ URS

B. L. SUBBAMMA

B. HUTCHE GOWDA *

A. BHEEMAPPA NAIK

B. T. KEMPA RAJ

MULKA GOVINDA REDDY *

M. SANKAR LINGE GOWDA *

* Subject to a minute of Dissent.

Sri K. G. Thimma Gowda was not present at the meeting of the Committee.

Minutes of Dissent.

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We are of opinion that the salaries of the Speaker of the Legislative Assembly and the Chairman of the Legislative Council may be fixed at Rupees eight hundred per month as provided in the Bill. They may each be paid a Conveyance Allowance of Rupees one hundred and fifty per month and a House Rent Allowance of Rupees two hundred.

The Deputy Speaker and the Deputy Chairman may be given a salary of Rupees three hundred per mensem each.

The Travelling and the Daily Allowances to the Speaker and the Chairman may be the same as provided for the Ministers under the Mysore Service Regulations.

J. MAHOMED IMAM,
B. HUTCHE GOWDA,
MULKA GOVINDA REDDY.

10th July 1952.

1. As a measure of economy, I object to the payment of salary to the members of the Legislature. Many of the income yielding Departments have been transferred to the Central Government at the time of integration. The existing sources of income are highly inelastic. The additional expense on this account will further shake the financial stability of our State. The deficit Budget we are now having before us does not warrant any fresh financial commitments.

2. That the payment of salary according to the Mysore Service Regulations contemplates or fixes definite legal responsibility on any person. But the responsibility of the Members of the Legislature is of a moral nature and has no legal binding. So, on this technical ground also, I differ from the opinion expressed by the members of the Committee.

3. That the members contested the elections with a spirit to render service to the State and not with any profit motive. When the salary is accepted by or paid to

the members after they get into the Legislature it contradicts or defeats the object with which they fought the elections. The word 'service' is sacred and its sanctity should not be spoiled by imputing any motive of personal profit. The membership of the Legislature contemplates a certain amount of sacrifice on the part of each member.

4. That with a view to satisfy Article 195 of the Constitution of India a sum of Rs. 25 (Rupees twenty-five only) per month may be fixed to each member of the Legislature.

M. SANKAR LINGE GOWDA.

THE MYSORE LEGISLATURE SALARIES BILL, 1952.

A Bill to provide for the salaries and allowances of the Speaker and the Deputy Speaker, the Chairman and the Deputy Chairman, and Members of the Legislative Assembly and of the Legislative Council.

WHEREAS it is expedient to provide by an Act of the Legislature for the salaries and allowances of the Speaker and the Deputy Speaker, the Chairman and the Deputy Chairman and Members of the Legislative Assembly and of the Legislative Council of the Mysore State :

Preamble.

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore Legislature Salaries Act, 1952.

Short title
and com-
mencement.

(2) It shall come into force at once.

2. In this Act,—

Definitions.

(1) "Chairman" means the Chairman of the Legislative Council and includes any member performing the duties of a Chairman under clause (1) of Article 184 of the Constitution of India ;

(2) "Deputy Chairman" means the Deputy Chairman of the Legislative Council ;

(3) "Government" means the State Government ;

(4) "maintenance" in relation to a residence includes the payment of local rates and taxes and the provision of electricity and water ;

(5) "prescribed" means prescribed by rules made under this Act ;

(6) "residence" includes the staff-quarters and other buildings appurtenant thereto, and the gardens thereof ;

(7) "Speaker" means the Speaker of the Legislative Assembly and includes any member performing the duties of the Speaker under clause (1) of Article 180 of the Constitution of India.

(8) "Deputy Speaker" means the Deputy Speaker of the Legislative Assembly.

Salaries and allowances of the Speaker and Deputy Speaker.

3. (1) There shall be paid to the Speaker a salary of eight hundred rupees per mensem, a conveyance allowance of two hundred and fifty rupees per mensem, a sumptuary allowance of one thousand rupees per annum and a house rent allowance of two hundred rupees per mensem; but the house rent allowance shall not be paid to the Speaker if he is provided by the Government with a residence in pursuance of the provisions of sub-section (1) of section 5.

(2) There shall be paid to the Deputy Speaker a salary of two hundred and fifty rupees per mensem.

Salaries and allowances of the Chairman and Deputy Chairman.

4. (1) There shall be paid to the Chairman a salary of eight hundred rupees per mensem, a conveyance allowance of two hundred and fifty rupees per mensem, a sumptuary allowance of one thousand rupees per annum and a house rent allowance of two hundred rupees per mensem; but the house rent allowance shall not be paid to the Chairman if he is provided by the Government with a residence in pursuance of the provisions of sub-section (1) of section 5.

(2) There shall be paid to the Deputy Chairman a salary of two hundred and fifty rupees per mensem.

Residences of Speaker and Chairman.

5. (1) The Government may provide for the use of the Speaker and of the Chairman without payment of rent, a fully furnished residence in the City of Bangalore throughout his term of office, and for a period of fifteen days immediately thereafter, and no charge shall, except to the extent specified in sub-section (2), fall on the Speaker or the Chairman personally in respect of the maintenance of such residence.

(2) The charges for the supply of water to the dwelling portion of the residence and of electricity for heating and lighting purposes in the residence, not exceeding twenty rupees per mensem, shall be paid by the Speaker or Chairman using such residence.

(3) In respect of a residence used by the Speaker or Chairman other than a residence provided under sub-section (1),

(a) the Government shall furnish and maintain at public expense one room to be used as an office room, and

- (b) *there shall be paid to the Speaker or Chairman, as the case may be, the amount in excess of twenty rupees payable by him for any month for the supply of water and electricity during the said month.*

6. (1) *The Speaker and the Chairman shall be entitled while touring on official business to travelling and daily allowances at the rates and upon the conditions specified in this section.*

Travelling and daily allowances of the Speaker and the Chairman.

(2) *While touring on official business within the State, the Speaker and the Chairman shall be entitled —*

- (a) *for journeys by train, to railway fare in respect of one first class compartment for himself, four third class fares for personal servants and charges for luggage not exceeding ten maunds :*

Provided that the claim is supported by a certificate that the Speaker or the Chairman, as the case may be, reserved a first class compartment for himself and travelled by train with the number of servants and the weight of luggage specified in such certificate :

Provided further that if the Speaker or the Chairman travels by road instead of by railway train, the claim is supported by a certificate specifying the number of servants who travelled and the weight of luggage transported by train ;

- (b) *for journeys by road, to road mileage at eight annas per mile for the first fifty miles and at five annas and four pies per mile for any distance beyond fifty miles travelled on one day ;*

- (c) *to daily allowance at ten rupees per day for the days of halt at any place.*

Explanation.—‘ Official business ’ for purposes of this section includes attendance at the convocation of the University of Mysore and attendance at such other conferences and official functions as may be specified, from time to time, by the Rajpramukh.

(3) *While touring on official business outside the State, the Speaker and the Chairman shall be entitled —*

- (a) *for journeys by train, to railway fare in respect of one first class compartment of three berths or two first*

class fares, four third class fares for personal servants and charges for luggage not exceeding ten maunds :

Provided that the claim is supported by a certificate that the Speaker or the Chairman, as the case may be, reserved a first class compartment or a first class berth as the case may be, and travelled by train with the number of servants and the weight of luggage specified in the certificate :

Provided further that if the Speaker or the Chairman travels by road instead of by railway train, the claim is supported by a certificate specifying the number of servants who travelled and the weight of luggage transported by train ;

(b) for journeys by air, to one and a half times the single daily allowance admissible in addition to the actual plane fare paid for such journeys ;

(c) to daily allowance at—

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| <p>(i) two and a half times the daily allowance specified in item (c) of sub-section (2), at Bombay and Delhi ; and</p> <p>(ii) one and a half times the daily allowance specified in item (c) of sub-section (2), at other places.</p> | } | <p>For the days of journey by rail and for the days of halt at any place.</p> |
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(4) In addition to the allowances specified in sub-section (2), the Speaker and the Chairman shall, until otherwise ordered by the Rajpramukh, be entitled to thirty-three and one-third per cent of the road mileage and daily allowances payable under the said sub-section.

Salaries of members of the Legislative Assembly and the Legislative Council.

7. There shall be paid to every member of the Legislative Assembly or of the Legislative Council a salary of one hundred rupees per mensem, from the date on which he takes his oath under article 188 of the Constitution of India.

Travelling and daily allowances of members of the Legislative Assembly and the Legislative Council.

8. Subject to such conditions as may be determined by rules made under this Act,

(a) there shall be paid to members of the Legislative Assembly and of the Legislative Council not ordinarily resident within prescribed distances from the place at which their attendance is required in connection with their duties as members, travelling allowance for journeys

by train at the rate of twice the first class fare and for journeys by road at eight annas per mile;

(b) there shall be paid to all members daily allowance for attending meetings at the rate of fifteen rupees per diem.

Explanation.—For the purposes of this section “meeting” means a meeting of the Legislative Assembly or of the Legislative Council or of any Committee of the said Assembly or Council or of both.

9. (1) A Minister, the Speaker or the Chairman shall not—

(a) during the tenure of his office for which he draws salary and allowances, practise any profession or engage in any trade or undertake for remuneration any employment other than his duties as Minister, Speaker or Chairman, as the case may be, and

(b) while he draws salary and allowances for his office, be entitled to any salary or allowances as a member of the Legislative Assembly or of the Legislative Council, as the case may be.

Minister,
Speaker and
Deputy
Speaker, and
Chairman and
Deputy
Chairman,
not to draw
salaries as
members.

(2) The Deputy Speaker or the Deputy Chairman shall not, while he draws salary for his office, be entitled to any salary as a member of the Legislative Assembly or of the Legislative Council, as the case may be.

10. Nothing in this Act shall prevent a retired Government servant from drawing his pension in addition to any salary or allowances to which he may be entitled to under this Act.

Saving.

11. (1) The Government shall, as soon as may be, make rules for carrying out the purposes of this Act.

Power of
Government
to make rules.

(2) In particular and without prejudice to the generality of the foregoing power, the Government may make rules,

(a) prescribing the periods during which and the conditions under which daily allowance may be drawn by a member of the Legislative Assembly or the Legislative Council; and

(b) prescribing the distances referred to in section 8 for the grant of travelling allowance.

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(3) All rules made under this Act shall be published in the *Mysore Gazette* and on such publication shall have effect as if enacted in this Act.

Repeal of
Mysore Act II
of 1951.

12. The Mysore Payment of Salaries and Allowances to Members of the Legislative Assembly Act, 1951, is hereby repealed.

G. S. VENKATARAMANA IYER,
Secretary.